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PATENT & TRADEMARK OFFICE

PTO/SB/21 (08-03)

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/679,245
Filing Date	October 2, 2003
First Named Inventor	MALECKI, WILLIAM
Art Unit	Unassigned
Examiner Name	Unassigned
Total Number of Pages in This Submission	
Attorney Docket Number	020979-002500US

ENCLOSURES *(Check all that apply)*

- ☐ Fee Transmittal Form
  - ☐ Fee Attached
- ☐ Amendment/Reply
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
  - ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s)
- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (**Appeal Notice, Brief, Reply Brief**)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) *(please identify below)*:

  Return Postcard

  PTO/SB/08A & PTO/SB/08B

  2 Reference Copies

Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Townsend and Townsend and Crew LLP Scott M. Smith Reg. No. 48,268
Signature	
Date	December 9, 2003

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Edward Masinas		
Signature		Date	December 9, 2003

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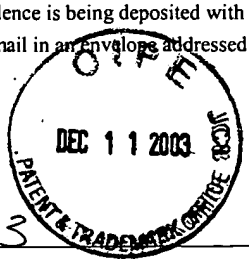


TOWNSEND and TOWNSEND and CREW LLP

By: Edward Masinas
Edward Masinas

PATENT
Attorney Docket No.: 020979-002500US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Examiner: Unassigned
MALECKI et al.	Art Unit: Unassigned
Application No.: 10/679,245	INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.97 and §1.98
Filed: October 2, 2003	
For: ENERGY BASED DEVICES AND METHODS FOR TREATMENT OF PATENT FORAMEN OVALE	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

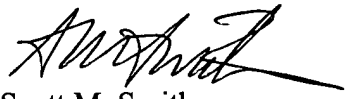
Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



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Substitute for form 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known	
Application Number	10/679,245
Filing Date	October 2, 2003
First Named Inventor	MALECKI, WILLIAM
Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	020979-002500US

U.S. PATENT DOCUMENTS+

Examiner Initials*	Cite No.[1]	Document Number Number Kind Code[2] (*if known*)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	5,071,417	12-10-1991	SINOFSKY	
	2	5,156,613	10-20-1992	SAWYER	
	3	5,540,677	10-29-1996	SINOFSKY	
	4	5,569,239	07-30-1996	SINOFSKY	
	5	5,669,934	09-23-1997	SAWYER	
	6	5,725,522	03-10-1998	SINOFSKY	
	7	5,824,015	10-20-1998	SAWYER	
	8	5,931,165	08-03-1999	REICH et al.	
	9	6,391,049	05-21-2002	McNALLY et al.	
	10	6,401,720	06-11-2002	STEVENS et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document Country Code[3]	Number[4]	Kind Code[5] (*if known*)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T[6]
	11	WO	99/18870		04-22-1999	STAMBAUGH et al.		
	12	WO	99/18871		04-22-1999	STAMBAUGH et al.		

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[2]

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1] Applicant's unique citation designation number (optional). [2] Applicant is to place a check mark here if English language Translation is attached.